

**ZB# 05-05**

**John Jakobs**

**58-1-42**

ZBA #05-05 JOHN JAKOBS (AREA)  
24 MECCA DR. (58-1-42)

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 3-14-05*



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

July 1, 2005

**John Jakobs  
19 High Hill Avenue  
Warwick, NY 10990**

**SUBJECT: REQUEST FOR VARIANCE #05-05**

**Dear Mr. Jakobs:**

**Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.**

**If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.**

**Very truly yours,**

---

**Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD**

**MLM:mlm**

**cc: Michael Babcock, Building Inspector**

**NEW WINDSOR ZONING BOARD OF APPEALS**

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SBL: 58-1-42

In the Matter of the Application of

**JOHN JAKOBS**

**MEMORANDUM OF  
DECISION GRANTING**

**AREA**

**CASE #05-05**

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**WHEREAS, John Jakobs** , owner(s) of 24 Mecca Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 20,220 sq. ft. Minimum Lot Size for proposed Single Family Home at 24 Mecca Drive in an R-4 Zone (58-1-42)

**WHEREAS**, a public hearing was held on March 14, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The lot is the last lot in a subdivision approved by the New Windsor Planning Board. Because the Zoning Law of the Town of New Windsor changed between the time that this subdivision was approved and the time a Building Permit was applied for, this variance is necessary.

- (c) In installing the subdivision, the applicant has completed the infrastructure, including but not limited to, roadways, curbs, drainage.
- (d) The proposed house will be similar in size and appearance to other houses in the neighborhood.
- (e) In constructing the house the applicant will not remove any trees or substantial vegetation.
- (f) In building the house, the applicant will not divert the flow of water drainage or create the ponding or collection of water.
- (g) The proposed house will be serviced by municipal sewer and water.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

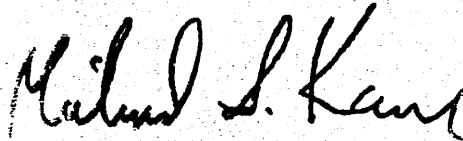
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 20,220 sq. ft. Minimum Lot Size for proposed Single Family Home at 24 Mecca Drive in an R-4 Zone (58-1-42) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: March 14, 2005

A handwritten signature in black ink, appearing to read "Richard L. Kuntz", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: November 22, 2004**

**APPLICANT: John Jakobs  
19 Highill Ave  
Warwick, NY 10990**

**COPY**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/15/2004**

**FOR : John Jakobs**

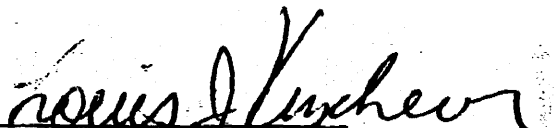
**LOCATED AT: 24 Mecca Drive**

**ZONE: R-4      Sec/Blk/ Lot: 58-1-42**

**DESCRIPTION OF EXISTING SITE: Vacant Lot**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

**1. 300-10 Use – Bulk Table R-4 zone. A variance is required for Line 6 Column C lot area.  
Required 43,560. Actual 23,340. Variance request 20, 220.**

  
**BUILDING INSPECTOR**

**PERMITTED**

**PROPOSED OR  
AVAILABLE:**

**VARIANCE  
REQUEST:**

**ZONE: R-4      USE: Single Family Dwelling**

**MIN LOT AREA: 43,560**

**23,340**

**20,220**

**MIN LOT WIDTH:**

**REQ'D FRONT YD:**

**REQ'D SIDE YD:**

**REQ'D TOTAL SIDE TD:**

**REQ'D REAR YD:**

**REQ'D FRONTAGE:**

**MAX BLDG HT:**

**FLOOR AREA RATIO:**

**MIN LIVABLE AREA:**

**DEV COVERAGE:**

**cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP**



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

674-0049  
RAY

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

NOV 15 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:

Building Permit # 2004-1425

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

John Jakobs

Address

40 Mecca Dr. New Windsor, Phone # 845-651-3070

Mailing Address

19 Highhill Ave Warwick NY 10990 Fax # 845-651-1252

Name of Architect

Daniel P. Yanosh N.Y.S. L.S.

Address

P.O. Box 320 N.Y.S Rt 302 Cinchville NY Phone 845-361-4700

Name of Contractor

By Owner

Address

19 Highhill Ave Warwick NY 10990 Phone 845-651-3070

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the mecca side of Right Side 24 Mecca  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y NO

3. Tax Map Description: Section 58 Block 1 Lot 42

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy Residential

5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? no

7. Dimensions of entire new construction. Front 41'3 Rear 41'3 Depth 36 Height \_\_\_\_\_ No. of stories 2

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms 3 Baths 2 Toilets 3 Heating Plant: Gas \_\_\_\_\_ Oil ☒  
Electric/Hot Air \_\_\_\_\_ Hot Water yes If Garage, number of cars 2

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use no

10. Estimated cost 225,000

Fee \$50.00

**PAID**

ch# 138

**ZONING BOARD**

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

date

date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

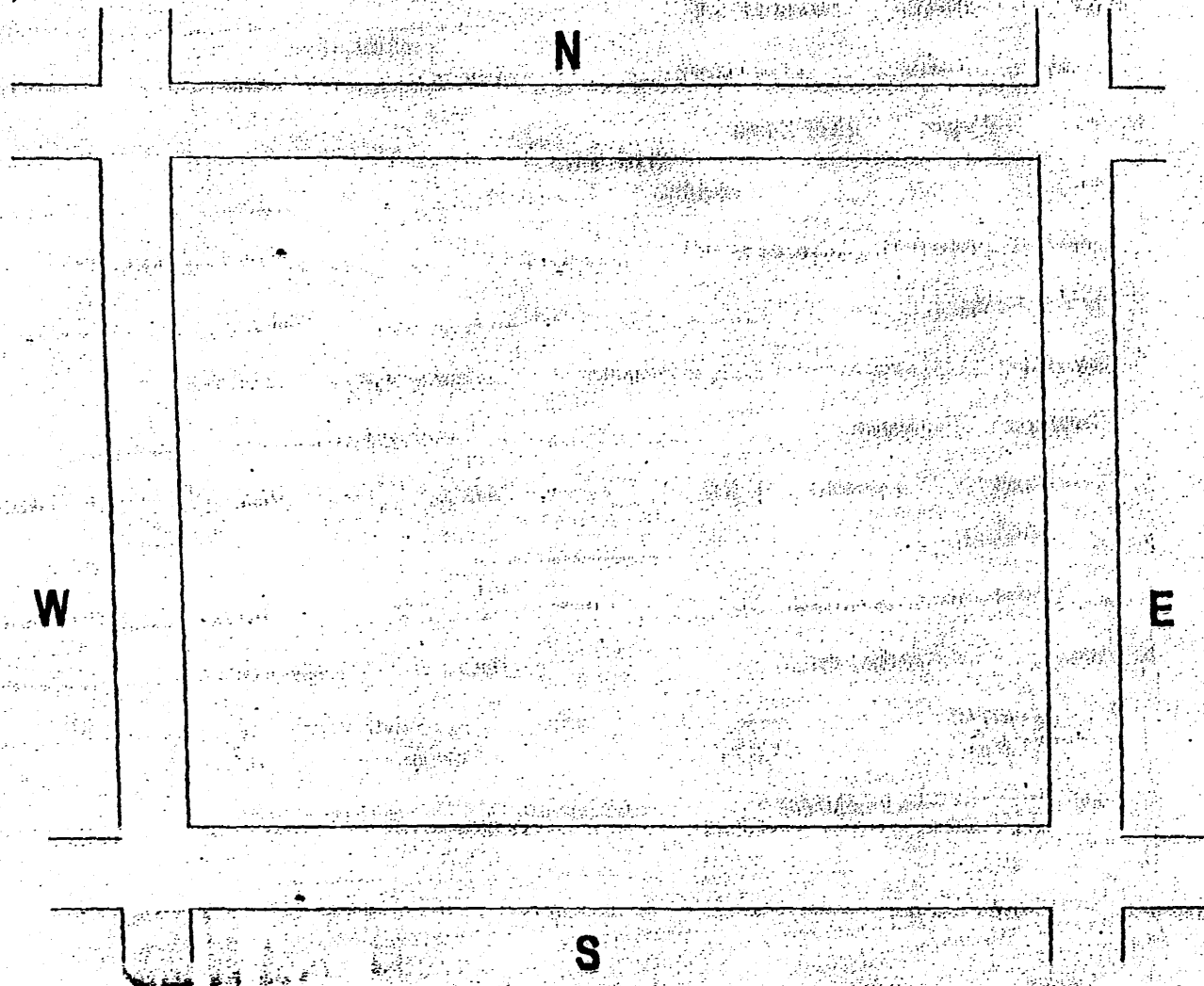
(Owner's Signature)

(Owner's Address)

PLOT PLAN

**NOTE:**

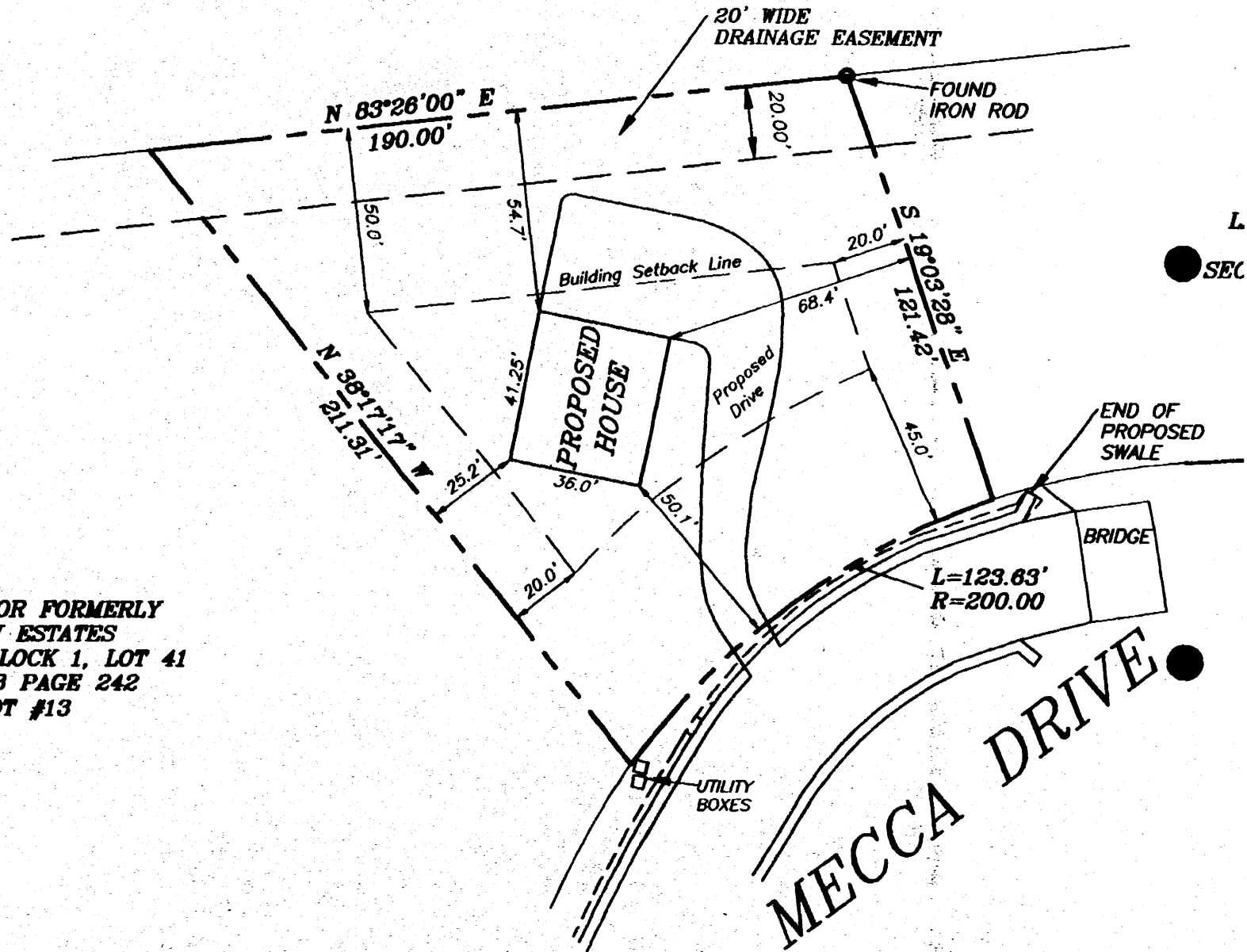
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
NO DELAY!  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

674-0049  
RAY

LANDS NOW OR FORMERLY  
HIGHVIEW ESTATES  
SECTION 58, BLOCK 1, LOT 41  
LIBER 4233 PAGE 242  
FM LOT #13





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: MARCH 29, 2005**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 155.19 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #05-05**

**NAME & ADDRESS:**

**John Jakobs  
19 High Hill Avenue  
Warwick, NY 10990**

**THANK YOU,**

**MYRA**

**L.R.03-29-2005**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #05-05      TYPE: AREA      TELEPHONE: 986-4123

APPLICANT Name & Address:

**John Jakobs**  
**19 High Hill Avenue**  
**Warwick, NY 10990**

RESIDENTIAL:	\$ 50.00	CHECK #0757
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK #0756

~~~~~

| <u>DISBURSEMENTS:</u>        |                  | <u>MINUTES</u><br>\$5.50 / PAGE | <u>ATTORNEY</u><br>FEE |
|------------------------------|------------------|---------------------------------|------------------------|
| PRELIMINARY:                 | <u>4</u> PAGES   | \$ <u>22.00</u>                 | \$ <u>35.00</u>        |
| 2 <sup>ND</sup> PRELIMINARY: | <u>   </u> PAGES | \$ <u>   </u>                   | \$ <u>   </u>          |
| PUBLIC HEARING:              | <u>2</u> PAGES   | \$ <u>11.00</u>                 | \$ <u>35.00</u>        |
| PUBLIC HEARING:              | <u>   </u> PAGES | \$ <u>   </u>                   | \$ <u>   </u>          |

LEGAL AD: Publish Date: 01-20-2005      \$ 41.81

TOTAL:      \$ 74.81      \$ 70.00

~~~~~

ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 144.81

AMOUNT DUE:      \$    

REFUND DUE:      \$ 155.19

Cc:

L.R. 03-29-2005



JOHN JAKOBS (05-05)

Mr. John Jakobs appeared before the board for this proposal.

MR. KANE: Request for 20,220 sq. ft. minimum lot size for proposed single family home at 24 Mecca Drive. Tell us what you want to do.

MR. JAKOBS: We're asking for an interpretation, I believe we established that the last time we we're here, we're asking for the interpretation as the, there's a lot that conformed when it was subdivided and we're the last house in the subdivision and we're asking can we put a house there.

MR. BABCOCK: It's the exact same situation, the zoning change, the three year period lapsed and they're the last lot on the subdivision.

MR. JAKOBS: We applied in October and it was August it changed so--

MR. KANE: The house that you're proposing is going to be similar in size and nature to the other homes in the area?

MR. JAKOBS: Yes, it is.

MR. KANE: Cutting down any trees or substantial vegetation in the building of the home?

MR. JAKOBS: No.

MR. KANE: Creating any water hazards or runoffs?

MR. JAKOBS: No.

MR. KANE: Are you going to be on Town water and sewer or septic and well?

MR. JAKOBS: Town sewer, well water.

MR. KANE: The house or the driveway won't be on any easements?

MR. JAKOBS: No.

MR. KANE: Guys have any questions right now?

MS. GANN: No.

MR. KANE: At this point, I will open it up to the public, see if there's anybody here for the public. No? Close it. Myra, how many mailings?

MS. MASON: On January 12, I mailed out 25 envelopes and had no response.

MR. KANE: Nobody cares. I'll accept a motion if there are no other questions.

MR. REIS: I make a motion that we grant Mr. John Jakobs his requested variance for 20,220 square foot minimum lot size for 24 Mecca Drive single family home.

MS. GANN: Second the motion.

ROLL CALL

MS. GANN	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE

JOHN JAKOBS (05-05)

Mr. John Vigna, Mr. Ray Minniefield and Mr. John Jakobs appeared before the board for this proposal.

MR. KANE: Request for 20,220 sq. ft. minimum lot size for proposed single-family home at 24 Mecca Drive. Tell us what you want to do, gentlemen.

MR. VIGNA: Apparently, the laws changed in October of 2004 and we'd like to build a house according to the old laws, it's conforming to the other houses in the area, it's the last buildable lot in the area.

MR. REIS: Water and sewer in this location?

MR. JAKOBS: There's sewer, no water.

MR. VIGNA: Well, water and sewer out in the street.

MR. REIS: Has the house been determined, size of the house so all your side yards and everything is okay, Mike?

MR. BABCOCK: Yes.

MR. VIGNA: It will fit right in the neighborhood.

MR. KANE: Lot size as it is right now similar to other lots that are in the neighborhood?

MR. JAKOBS: Exactly, yes.

MR. MINNIEFIELD: It was a five house subdivision on top of that ridge and this house is this, is the last lot in that little area.

MR. KANE: Okay.

MR. VIGNA: So we're just going to build a house that

will fit right into the landscaping of the neighborhood.

MR. KANE: What was the last house finished in that subdivision?

MR. JAKOBS: Last month, two months ago.

MR. VIGNA: Isn't one being built now?

MR. BABCOCK: There's a couple more lots up farther that are left yet, at least one.

MR. KANE: Would this similarly fall under the same thing as the first that we had as an interpretation? I would think because I'll tell you right off the bat I'm not fond of giving 22,000 square foot variances, just doesn't sit right but I do think that it is, I mean, they're closer than the other guys were, I think it falls more under an interpretation that you're, that you have already put the infrastructure and building in a particular development and you have one home to go. So I think with your permission I would like to add that variance and/or an interpretation that you're under construction already in that development so that you would fall under the old zoning rule. Does that make sense?

MR. BABCOCK: That's fine.

MR. MINNIEFIELD: Thank you for your help.

MR. KANE: We try cause the 22,000 that's tough but you just finished building a home so it doesn't make any sense that you couldn't finish the last one. That's the way I see it. Any other questions? I'll accept a motion. Will you be removing any, let's ask a couple questions, removing any trees, substantial vegetation with the building of this last home?

MR. MINNIEFIELD: Trees have already been removed, we'll be removing a few more cause there's a retaining wall required.

MR. KANE: Nothing substantial?

MR. MINNIEFIELD: No.

MR. KANE: Creating any water hazards or runoffs?

MR. MINNIEFIELD: I don't believe so.

MR. KANE: Any easements on this particular lot?

MR. MINNIEFIELD: No.

MR. VIGNA: I don't think so, no.

MR. KANE: So it's going to be town sewer and well?

MR. JAKOBS: Well water, yes.

MR. RIVERA: There seems to be a drainage easement here.

MR. MINNIEFIELD: It's drainage, I don't think it's an easement, that's our drainage on our property, it's a swale that runs around the back of the property so it's owned by us to protect our foundation.

MR. RIVERA: It just caught my attention, that's all.

MR. KANE: Did you have any water problems building the other ones?

MR. MINNIEFIELD: Every home up there, it's a steep grade and every home up there has a retaining wall in the back. Ours will be similar, we're talking to the engineer, town engineer to make sure that our retaining wall kind of fits in with the other retaining walls

that are there.

MR. KANE: Not creating any other water problems?

MR. MINNIEFIELD: No, right, and in the back of us I think it's a railroad property so nothing will be built behind us.

MR. KANE: I'll accept a motion.

MR. REIS: I make a motion that we set up Mr. John Jakobs for an interpretation for his request to build a single family home at 24 Mecca Drive to be consistent with other lots in that area.

MR. RIVERA: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: March 14, 2005

PROJECT: John Jakob ZBA # 05-05  
P.B.#

**P.B.#** \_\_\_\_\_

**USE VARIANCE:**      **NEED: EAF** \_\_\_\_\_ **PROXY** \_\_\_\_\_

**LEAD AGENCY:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_\_ N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**NEGATIVE DEC:** M)\_\_\_\_\_S)\_\_\_\_\_ **VOTE:** A\_\_\_\_\_N\_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M)\_\_\_\_S)\_\_\_\_ VOTE: A\_\_\_\_ N\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓  
VARIANCE APPROVED: M) RS S) GN VOTE: A 4 N 0.

GANN  
~~LOVEY~~  
RIVERA  
~~MC DONALD~~  
REIS  
KANE

**CARRIED: Y** ✓ **N**     .

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

JOHN JAKOBS

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#05-05

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 12TH day of JANUARY, 2005, I compared the 25 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

14<sup>th</sup> day of February, 2005

J. P. Mead (Gallagher)  
Notary Public

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified in Orange County  
Commission Expires 10/30/ 2006





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

January 10, 2005

John Jakobs  
19 High Hill Ave  
Warwick, NY 10990

Re: 58-1-12.1

ZBA# 05-05 (25)

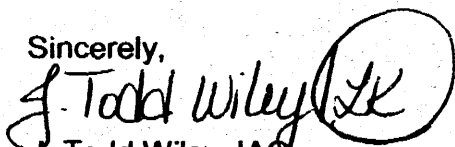
To Whom It May Concern:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$ 45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerks Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/lk  
Attachments

CC: Myra Mason, Zoning Board

57-1-39.22  
Francis & Emmajean Mac Pherson  
61 Vidi Dr.  
Salisbury Mills, NY 12577

57-1-89.22  
Ryan & Julia Anderson  
60 East Main Street  
Washingtonville, NY 10992

57-1-126  
Pennsylvania Lines LLC  
C/O Norfolk Southern Railway Co.  
110 Franklin Rd Se  
Roanoke, VA 24042

57-3-5.2  
Carlos & Grace Matos  
4 Congress Dr.  
Washingtonville, NY 10992

58-1-26  
Bruce & Mary Ostrander  
17 Mecca Dr.  
Salisbury Mill, NY 12577

58-1-27  
Scott & Kerri Ann Davies  
18 Mecca Dr.  
Salisbury Mills, NY 12577

8-1-37  
Lawrence Ross  
34 Mecca Dr.  
Salisbury Mills, NY 12577

58-1-38  
William & Mary Cooke  
32 Mecca Dr.  
Salisbury Mills, NY 12577

58-1-39  
Mathew Fenton & Kathleen O Connell  
30 Mecca Dr.  
Salisbury Mills, NY 12577

58-1-40 & 58-1-41  
Highview Estates Of Orange County Inc.  
Po Box 457  
Washingtonville, NY 10992

58-1-42  
John Jakobs  
19 High Hill Ave.  
Warwick, NY 10990

58-1-43  
Diane Grimm  
22 Mecca Dr.  
Salisbury Mills, NY 12577

58-1-44  
Laurence & Doris Kantor  
20 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-3  
Victor & Jaqueline Burgos  
17 Alphonsa Court  
Salisbury Mills, NY 12577

58-7-4  
Stephan & Robin Obie  
18 Alphonsa Court  
Salisbury Mills, NY 12577

58-7-5  
Alexander & Charlene Torres  
14 Alphonsa Court  
Salisbury Mills, NY 12577

58-7-6  
Alexis Smyrychynski  
10 Alphonsa Court  
Salisbury Mills, NY 12577

58-7-7  
Barbara Biglin  
6 Alphonsa Court  
Salisbury Mills, NY 12577

58-7-8  
Kenneth & Madeline Brooks  
19 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-9  
Patricia Ann Neary  
21 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-10  
Eric & Debra Evans  
23 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-11  
Thomas & Shana Carbone  
25 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-12  
Anthony & Sandra Contino  
27 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-13  
Jordan Sr. & Myriam Martinez  
29 Mecca Dr.  
Salisbury Mills, NY 12577

58-7-14  
Leta Jagielski  
23 Dussenburg Dr.  
Florida, NY 10921

# TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

**Patricia Foddrill**

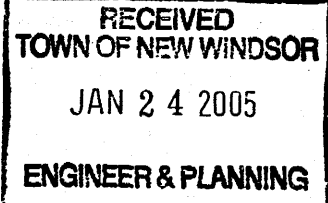
Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that despondent is the

## **Legal Advertising Representative**

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

## **Legal Notice**

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of



1/20/05

Signature of Representative:

*P. Foddrill*

Sworn in before me this

20

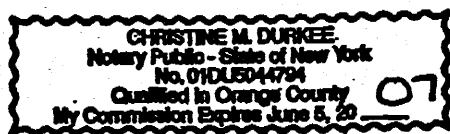
Day of

Jan

2005

*Christine M. Durkee*

Notary Public, Orange County



**PUBLIC HEARING NOTICE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-05  
Request of JOHN JAKOBS  
for a VARIANCE of the Zoning Local Law to Permit  
Request for Interpretation of and / or variance requested  
20,220 sq. ft. Minimum Lot Size for proposed Single  
Family Home at 24 Mecca Drive in an R-4 Zone  
(S8-1-42)

PUBLIC HEARING will take place on FEBRUARY  
28, 2005 at the New Windsor Town Hall, 555 Union Avenue,  
New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE, CHAIRMAN

**Ad Number: 1733125 Advertiser: NEW WINDSOR, TOWN**

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

**INVOKING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

**ORDER:**

Printed By: THRFODDRIL Date: 02/17/2005 Assigned Sales: PUBLICHEARINGNOTICE ZONINGBOARD OF APPEAL AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

**NOTES:**

Change Reason:

**INSERTION:**

Product: THL Paper: IN Class: 999X; LEGAL BILLING

Schedule: Start Date - 02/21/2005 End Date - 02/21/2005

Sort: PUBLIC HEARING NOTICE ZONING BOARD OF APP

**PRODUCTION:**

Text Size: 2 x 23.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

**PRICING:**

Price: 41.81 Payment Method: B1 Amount Paid: 0 Amount Owed: 41.81

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

05-05

1 of 6

SERVING THE HUDSON VALLEY AND THE CATSKILLS

# TIMES HERALD-RECORD

40 Mulberry Street, P.O. Box 2046 • Middletown, New York 10940-6357

For Inquiries Call: 845-341-1100 To Place A Classified Ad Call 845-343-7000

Please Retain This Portion For Your Records

## CLASSIFIED ADVERTISING INVOICE

CLASS	KEY
000	ENGINEER & PLANNING

PHONE NUMBER	EX. CHARGES	START	STOP
845-343-7000		01/20/05	01/20/05

RATE	TIMES	LINES / INCHES
111		41

AMOUNT DUE
41.41

PAYABLE IMMEDIATELY

FOR QUESTIONS CALL BUSINESS OFFICE (845) 341-1100  
TO PLACE A CLASSIFIED AD CALL (845) 343-7000  
THANK YOU  
OUTSIDE OF CALLING AREA (800) 295-2181

INVOICE NUMBER

1725428

BILLING DATE

01/21/05

SERVING THE HUDSON VALLEY AND THE CATSKILLS

# TIMES HERALD-RECORD

40 Mulberry Street, P.O. Box 2046 • Middletown, New York 10940-6357

For Inquiries Call: 845-341-1100 To Place A Classified Ad Call 845-343-7000

Please Return This Portion With Your Payment

## CLASSIFIED ADVERTISING INVOICE

PHONE NUMBER	KEY
845-343-7000	PUBLIC HEARING NOTIFICATION

INVOICE NUMBER	BILLING DATE
1725428	1/21/05

NAME ON CARD
ACCT. NO.
CARD EXPIRATION DATE
AMOUNT CHARGED \$
SIGNATURE

AMOUNT DUE
41.41



US-04 JAKGRC  
NEW WINDSOR, NY  
ENGINEER AND PLANNING  
405 UNION AVENUE  
NEW WINDSOR, NY 12553

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

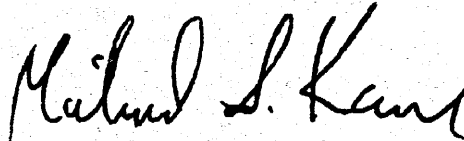
**Appeal No. 05-05**

**Request of JOHN JAKOBS**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for Interpretation of and/or variance requested 20,220 sq. ft. Minimum Lot Size for proposed Single Family Home at 24 Mecca Drive in an R-4 Zone (58-1-42)**

**PUBLIC HEARING will take place on FEBRUARY 14, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

January 12, 2005

John Jakobs  
19 High Hill Avenue  
Warwick, NY 10990

SUBJECT: REQUEST FOR VARIANCE - PUBLIC HEARING

Dear Mr. Jakobs:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

24 Mecca Drive  
New Windsor, NY

is scheduled for the February 14<sup>th</sup>, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 01-04-05

FOR: ESCROW 05-05

FROM:

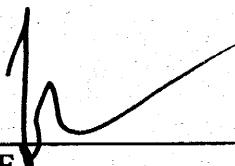
**MONICA JAKOBS**  
**19 HIGH HILL AVE.**  
**WARWICK, NY 10990**

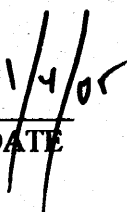
CHECK NUMBER: 0756

TELEPHONE: 986-4123

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#12-2005**

01/04/2005

Jakobs, Monica

*\$05-05*

Received \$ 50.00 for Zoning Board Fees, on 01/04/2005. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



RESULTS OF Z.B.A. MEETING OF: January 10, 2005

PROJECT: John Jakobs

ZBA # 05-05  
P.B.# \_\_\_\_\_

USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Rs S) Lv VOTE: A 5 N 0

GANN A  
LOCEY A  
RIVERA A  
~~MCDONALD~~ A  
REIS A  
KANE A

CARRIED: Y ✓ N \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_ STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_  
VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MC DONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_.

" Interpretation "

Interpretation

No trees

No water or sunoffs

No easements

Town sewer





# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **ZONING BOARD OF APPEALS**

January 4, 2005

John Jakobs  
19 High Hill Avenue  
Warwick, NY 10990

**SUBJECT: REQUEST FOR VARIANCE #05-05**

Dear Mr. Jakobs:

This letter is to inform you that you have been placed on the January 10, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

24 Mecca Drive  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO.**  
**IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).***

*Rob W. Gulek*  
\_\_\_\_\_  
SIGNATURE

*11/30/04*  
\_\_\_\_\_  
DATE

**NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**

**PAGE 2**

**COMPLETE THIS PAGE** 



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

11/30/04

Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

I. Owner Information:

JOHN W JAKOBS

Phone Number: (845) 986 4123

Fax Number: (845) 651 1252

(Name)

19 High Hill Ave WARWICK, NY 10990

(Address)

II. Applicant:

JOHN W JAKOBS

Phone Number: (845) 986 4123

Fax Number: (845) 651 1252

(Name)

19 High Hill Ave WARWICK NY 10990

(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: ( )

Fax Number: ( )

(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number (845) 361-4700

Fax Number: ( ) 361-4722

Daniel Yanosh

(Name)

P.O. Box 320-2191 N.Y.S Rt 302 Circleville NY 10919

(Address)

V. Property Information:

Zone: R4 Property Address in Question: Mecca Drive Lot #14

Lot Size: 23,340 sqft Tax Map Number: Section 58 Block 1 Lot 42

- a. What other zones lie within 500 feet? \_\_\_\_\_
- b. Is pending sale or lease subject to ZBA approval of this Application? NO
- c. When was property purchased by present owner? 6/24/04
- d. Has property been subdivided previously? NO If so, When: \_\_\_\_\_
- e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
- f. Is there any outside storage at the property now or is any proposed? NO

\*\*\*\*PLEASE NOTE:\*\*\*\*

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	43,560	23,340	20,220
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*This lot will be The same  
AS The lot's in The EX AREA  
AND WAS APOVED AS PART OF THE  
SubDev (Grove Homes)*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☒ One in the amount of \$ 500.00 or 500.00 (escrow)
- ☒ One in the amount of \$ 150.00 or 150.00 (application fee)
- ☒ One in the amount of \$ 150.00 (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

6<sup>th</sup> day of March 2007

  
Owner's Signature (Notarized)

\_\_\_\_\_  
Owner's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature (If not Owner)

  
Signature and Stamp of Notary

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**PATRICIA J HOOVER**  
Notary Public, State Of New York  
Qualified In Orange County  
No. 01H04691311  
Commission Expires on May 31, 2007

COMPLETE THIS PAGE ☐